

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**TUESDAY, MARCH 09, 2021 (WEBEX)**

**I. CALL TO ORDER**

Mayor Ladwig called the Webex virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, Clompus, West, Grover, Davies. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Attorney Russ Gans, City Engineer Josh Wolf. Approximately (18) attendees were present online at the beginning of the meeting.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURN TO CLOSED SESSION**

1. Conference with Legal Counsel – Pending Litigation (Calif. Gov. Code Section 54956.9(d)(1)): (2 Cases - Disclosure May Jeopardize Service, Gov. Code Section 54956.9(g))
2. Conference with Legal Counsel – Pending Litigation (Calif. Gov. Code Section 54956.9(d)(1)) (1 Case: City of Trinidad vs. Tsurai Ancestral Society, et. al, Humb. Co. Sup. Court Case No. 180684)

**IV. RECONVENE TO OPEN SESSION**

Mayor Ladwig announced that no reportable action was taken by the Council.

**V. APPROVAL OF THE AGENDA**

*Motion (Grover/West) to approve the agenda as written. **Passed unanimously.***

**VI. APPROVAL OF MINUTES – 01/26/2021 cc2, 02/09/2021 cc**

*01/26/2021 cc2 – Resident Anita Thompson requested that during item 7, Staff Reports, she requested Lt. Miller to include a theft that was omitted from the November police log.*

*02-09-2021 cc – City Manager Naffah suggested amending p.6, under Steve Madrone’s comments, modifying the “Clerk’s notes” comments as provided in writing.*

*Motion (Grover/Clompus) to approve the minutes as amended. **Passed unanimously.***

**VII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS**

**Grover:** Attended RCEA meeting. On subcommittees for Equity and Offshore Wind. May be presenting agenda items to the Council for support in the future. Also attended the Green Party meeting.

**Clompus:** Provided a written report included in the packet that highlight his committee discussions, actions, and progress. HWMA, CCNM, HCCVB. Also requested that staff research the flow meter reporting device committed by Pacific Watershed Associates to monitor Luffenholtz Creek. Finally, reviewing 2010 Traffic Study recommending improvements that justify installing a 3 way stop-sign on Edwards and Trinity.

**Davies:** Deferred to the Trails Committee Report, Discussion item 7.

**Ladwig:** HTA reviewing traffic safety needs countywide.

**West:** Provided written reports that highlight HCAOG meeting discussions regarding safety improvements on Broadway, and Last Chance Grade 14 million emergency funding.

**VIII. STAFF REPORTS – City Manager & Law Enforcement**

City Manager Naffah summarized and highlighted various accomplishments from January that were outlined in the meeting packet. Noted that the HCSO contract renewal would be postponed until September, but an extension agreement to cover through September will be prepared soon.

HCSO Lt. Kevin Miller presented stats and service calls for February.

**IX. ITEMS FROM THE FLOOR**

*(Three (3) minute limit per Speaker unless Council approves request for extended time.)*

**Anita Thompson – Trinidad**

Thanked the City Clerk for preparing effective and accurate minutes that will help guide the City in the future, capturing discussions, decisions, and commitments, as well as reflecting public comments accurately.

**Katrine Homan – Trinidad Area**

Seconded Ms. Thompson's comments, thanking the City Clerk for providing thorough minutes to the Council. Also noted at the last meeting she expressed her concern that Supervisor Madrone submitting false statements to the City on County letterhead, about her family's development on Stagecoach Road. Asked that corrections be made to those comments, similar to how the City Clerk and Manager posted corrections to his comments regarding City Fire Service and mutual aid. Regarding the pipeline feasibility study, I found it disappointing that the Council rejected the opportunity to gain useful information. The Rancheria has offered to work together with the City in partnership on many projects. Finish the Government to Government consultation policy and start moving forward together.

**Katrine Homan – Trinidad Area**

Supervisor Madrone submitted false information on Board of Supervisor letterhead that was included in your public document archive for the January 26 meeting. I request that a note be included, acknowledging the false, misleading information that he submitted.

**Steve Madrone – County Supervisor**

Appreciated the corrections made to the minutes. If Ms. Homan believes that I made false statements, I request that she contacts me or provide the details. I never mentioned any names when discussing the property.

**X. CONSENT AGENDA**

1. Staff Activity Report
2. Financial Statements – January 2021
3. Law Enforcement Report – February 2021
4. Resolution 2021-01 – Authorizing Staff to Submit the Coastal Resiliency Grant Proposal to the Ocean Protection Council.
5. Revised Resolution 2019-13 – Amending the Trinidad Trails Advisory Committee to include the Tsurai Ancestral Society as a Participating Member.

*Motion (West/Grover) to approve the consent agenda as submitted. **Passed unanimously.***

**X. DISCUSSION/ACTION AGENDA ITEMS**

1. Discussion/Decision regarding Selection of Mayor  
City Municipal Code requires the Council select a Mayor and Mayor Pro-Tem after every General Election.

Clompus and Grover nominated Ladwig to continue as Mayor

West offered to continue as Mayor Pro-Tem.

There was no public comment.

*By consensus, the Council nominated Ladwig to continue as Mayor, and West to continue as Mayor Pro-Tem.*

2. Discussion/Decision regarding Consideration of Urgency Ordinance No. 2020-03, Short-Term Rental Stay Moratorium.

*Mayor Ladwig recused himself from this discussion and left the Webex meeting temporarily.*

**Mayor Pro-Tem West** summarized the options provided by City Manager Naffah to either end the moratorium tonight, or continue it through the duration, scheduled to end on March 14. The County has been lowered to the red-tier. We stated that if things improved, we would reopen. The rest of the County is open.

**City Attorney Russ Gans** explained that the Council retains discretion to continue or cancel the moratorium.

**Clompus:** Covid seems to be under more control. The risk has been reduced and there doesn't seem any reason why the City needs to keep the strict moratorium in place for the next 5 days. I'm in favor of ending it tonight.

**Grover:** Seconded Clompus's justification that it should be lifted tonight.

**Davies:** I'm going back and forth on this, but don't have my mind made up yet.

There was no public comment.

*Grover/Clompus to end the STR Moratorium, effective tonight, March 09. Passed 4-0-1. (Ladwig recused).*

3. Discussion/Decision regarding Bid Results and Award for the Downtown Pedestrian Connectivity Project.  
City Engineer Josh Wolf explained that the Downtown Trinidad Pedestrian and Connectivity Improvement Project bid package was released and publicly advertised on February 11, 2021. The bid period ended on March 4, 2021, at which time the City received eight responsive bids. The bid totals, including base and alternate bid items, are shown in the table below.

Bidder	Bid Schedule			
	Base Bid	Alternate 1	Alternate 2	Alternate 3
Darren Taylor Construction, Inc.	\$2,312,394.00*	\$84,156.00	\$10,810.50	\$2,219,840.50*
Frank Loduca DBA F. Loduca Co.	\$551,008.00	\$68,655.00	\$24,845.00	\$74,963.50
Ford Logging, Inc. DBA Pacific Earthscape	\$471,108.66*	\$50,321.51	\$21,042.64	\$67,740.19
GR Sundberg, Inc.	\$416,386.00	\$64,473.00	\$23,865.00	\$63,649.50
Hooven & Co., Inc.	\$455,810.70	\$50,226.45	\$23,286.00	\$54,098.40*
Mercer-Fraser Company	\$400,481.00*	\$45,165.45*	\$21,960.00	\$50,902.00
RAO Construction Co., Inc.	\$341,013.00	\$47,232.00	\$13,997.50	\$37,566.00
Wahlund Construction, Inc.	\$537,481.50	\$67,762.50	\$17,320.00	\$57,835.00

\*Math error by bidder in Bid Proposal. Corrected values shown.

As stipulated in the Information for Bidders, the Award would be made to the lowest, responsive, responsible bidder. The lowest bid being the lowest total of the bid prices on the base contract and the additive items taken in order, when added to the base contract, are less than, or equal to, the funding amount publicly disclosed by City before the first bid is opened. The disclosed funding amount for the project was \$407,000.

The apparent low bid was submitted by RAO Construction Co., Inc., with a total bid of \$402,242.50 for the Base Bid plus Additive No. 1, 2 and 3. The City's engineer, GHD, has confirmed that the bid received from RAO was fully responsive and that they and their sub consultants have active licenses and registrations. GHD has recommended awarding the project to RAO Construction. If the contract is awarded, construction is anticipated to begin in April.

**Financial:** The City has a total construction budget of \$465,000, which is composed of \$435,000 from State Transportation Improvement Program (STIP), and \$30,000 of local match funding. The tasks covered under the total construction budget amount include construction capital (\$407,000), construction engineering (\$56,000), and City administration time (\$2,000).

There was no public comment.

*Motion (Grover/Clompus) to authorize the City Manager to award the Downtown Trinidad Pedestrian and Connectivity Improvement Project to RAO Construction Co. Inc. and establish a maximum contract amount of \$407,000. **Passed unanimously.***

4. Discussion/Decision regarding Establishing 2021 Priorities for the Planning Commission.  
***Ladwig rejoined the meeting.***

City Planner Trevor Parker explained that Planning staff and the Planning Commission have a lot on their plate this year. In order to make sure that time is used most efficiently and judiciously, staff presented a list of projects to the Planning Commission for input on the prioritization of those tasks. It is recognized that tasks and priorities could change through the year.

Tasks were placed into three broad tiers of priority. The top tier includes important ongoing projects, tasks with deadlines, such as those related to grants, and permit application processing. The general plan has been prioritized as an ongoing project that staff and the Planning Commission feel is important to continue working on and get finished as soon as possible for a variety of reasons.

A top priority has to be processing permit applications. There are legally mandated timelines for processing certain types of applications. We did not get many applications in 2020 and have already had more applications submitted this year than all of 2020.

The lowest priority are those projects that can be put off until next year without jeopardizing various deadlines, though they are still priorities. The middle tier are the tasks that fall in between the first and third tier priorities. Additional information about each task is included in the list below.

**1<sup>st</sup> Tier Priorities**

Staff Tasks

Parking Study (SB2)

- Design and organize the study: Feb 2021
- Counts: Individual dates in Mar, Apr/May, June, July 4<sup>th</sup>
- Report: July-Sept.
- Potentially include on Aug. and/or Sept. PC agendas (the study does not require Planning Commission review or approval)

WSCP Ordinance

- This will be at the City Council level as opposed to the Planning Commission, but it will still take the time of the City Planner. This should be completed prior to the dry season (late summer) this year.

Housing Element (SB2)

- This task is mostly complete, but there are still a few loose ends.
- Emergency Shelter ZO amendment LCP amendment: The LCP amendment application has been prepped.
- Tribal Consultation with Rancheria: I have reached out to them to see if we can get this completed soon.
- Consultation with Coastal Commission staff on what may need certification: Many of the issues and policies in the Housing Element are not necessarily coastal issues, and so won't need to be certified as part of the LCP.

Hazards Planning Part A (OPC grant)

- This may not require much Planning Commission time in 2021
- Public Engagement Plan - Mar-21 to Jun-21
- Update Risk Assessment – Jun-21 to Nov-21

Staff and Planning Commission Tasks

ADU Ordinance (SB2)

- Update Ordinance 2012-02 based on new State requirements and add allowance for JADUs.
- Analyze parking, water, septic capacities in relation to the ordinance.

- Consultation with Coastal Commission staff.
- Public hearings; adoption by Planning Commission and then City Council.
- Prepare LCP amendment application (not a required step under SB2 grant).

#### Residential Design Standards (SB2)

- This task could include multiple ways to expedite processing of residential development applications, including procedural changes.
- Develop objective design and development standards for certain residential projects, including ADUs.
- Develop administrative procedures and exemptions for certain small projects.
- Develop sample architectural drawings and site plans.
- Update zoning ordinance (adoption not necessarily required under SB2 grant).

#### General Plan Update

- Continue updating the general plan with continued 'workshops' (special meetings) in between regular meetings as needed.
- Send new draft Conservation Element and responses to Coastal Commission.
- Continue to review the Circulation Element.
- Noise Element next.
- Safety Element (may pause pending public outreach and OPC grant work)
- Cultural Resources Element – re-initiate staff consultation with tribal representatives

#### Development Applications

- Five pending, with potentially three on the March agenda

### **2<sup>nd</sup> Tier Priorities**

#### Staff Tasks

##### Water Security/Resiliency Planning

- The City is still waiting on word about the technical assistance grant we applied for, but this will be a continuing issue regardless of the outcome of that. At their February 9<sup>th</sup> meeting, the City Council directed staff to put together a charter and resolution to create a Water Resiliency Committee that will include two Planning Commissioners. This may not come to the full Planning Commission this year, and I'm not sure at this point what staff assistance will be needed.

##### OWTS Program Implementation

- I have a coworker who is interested and has availability to work on this. It's just hard to find training opportunities when everyone is working at home. And I will need to work with Eli to put together a plan to do some outreach as part of further implementation.

#### Staff and Planning Commission Tasks

##### STR Ordinance Update

- It is already too late to amend the ordinance and get it through the Coastal Commission in time for the 2021 summer season. To make sure any changes are in place for 2022, we should get the review done by the end of 2021. However, I believe that most or all of the STR Committee recommendations can be implemented through the administrative rule process outlined in the ordinance, which means they could be enacted this summer. I have sent a memo to the City Manager and City Attorney for their input. But the Planning Commission still needs to review the ordinance at some point.

##### LEAP Grant Tasks

- Zoning Ordinance updates task has the tightest timeline in the grant proposal, due for completion in 2021. I will inquire about moving the timeline back.
- Hazards Planning (OPC grant) B
- Public meetings – ongoing (through Dec. 2023)
- Adaptation strategy development – 2022
- LCP update – ongoing (through Dec. 2023)

### 3<sup>rd</sup> Tier Priorities

#### Other LEAP Grant Tasks (2022-2023)

##### Zoning Ordinance / Implementation Plan Update

- This is only a lower priority by necessity, because it doesn't have a particular deadline. However, the ordinances will need to be updated before the Coastal Commission will certify the City's general plan.

##### Define Caretaker Residence ZO amendment

- Staff have discussed proposing a simple amendment to add a definition of a caretaker residence and put some basic limitations on them due to ongoing issues on a PR zoned parcel with a "caretaker residence" but no primary use.
- The violations and issues have not been egregious, but with the breaking up of Yee-Haw, activity has increased at the property at issue, so it may have more urgency now.

##### Signage Master Plan

- Signs are an ongoing issue in Trinidad, both in terms of existing illegal or nonconforming signs and new signs, which can be controversial. The Planning Commission would like to address signage on a City-wide basis.

##### Council comments included:

**Clompus:** The schedule includes an update on affordable housing. How does the RV park factor into that? We have important decisions to make about the number of STR's in town. When will there be an update on that?

Parker explained that RV parks are overseen by the State and are not designated as affordable housing. It has, however, been recognized by the City as offering affordable housing to the residents. It's a complicated issue that should be addressed as part of the General Plan update. Talking to the owners would be a good place to start. State Housing and Community Development doesn't seem to have an opinion, but there are no easy answers.

**Davies:** This was also on my list. RV's have wheels and temporary utilities. Mobile homes are different. Most units in the trailer park do not qualify as affordable housing. When we created the STR ordinance, the Coastal Commission mentioned that it was protected affordable housing stock. Affordable housing cannot be driven away. I would like to bring this up as part of the moratorium discussion as well. We need answers as to how we got to this point. I would also like to extend the parking study through August.

Parker noted that completing the parking study in early July was intended to give us time to complete it, then finalize the ADU Ordinance.

**West:** Are there other examples of how trailer parks are viewed in other coastal areas in the County? Impressed with the workload and asked what the Council could do to help.

Parker explained that focusing on priorities and not inserting tangents will be very supportive in keeping the Commission on track.

**Davies:** Recommended forwarding the Coastal Commission's General Plan comments to the Council to help speed up our discussions.

**Ladwig:** Follow your own advice, with an emphasis on analyzing the trailer park status to help inform discussions on other topics facing the City (ADU's, STR's, Housing, etc.).

##### Public comments included:

**Dorothy Cox** – Trinidad

Regarding the parking study, did everyone in town get the email? All residents need to receive the notice. Put a note on the water bill.

*Adding RV Park Status under General Plan Priority topic. Informational item only.*

5. Discussion/Decision regarding Amending TMC Ordinance 2.20.070; Election of Planning Commission Chair and Vice Chair to Allow both Positions to Serve Multiple Terms.

City Manager Naffah explained that the City's Municipal Code includes the following section dictating the election of a Chair and Vice Chair for the Planning Commission:

**2.20.070 Election of chair and vice chair.**

*The commission shall elect its chair and vice chair from among the appointed members of the commission.*

*The chair of the planning commission shall be elected to a two-year term, on a rotating basis, so that no individual may serve a second term as chair as long as there are others on the commission who have not so served.*

Over the past several years, the Planning Commission has found the language limiting a second term of Chair to be problematic. The Planning Commission has had chronic issues with turnover and lack of members. This language has put the Planning Commission in a position of having to elect a Chair who is either very new to the Commission or who doesn't necessarily want to serve as Chair. There is not a similar limitation on the election of Mayor.

At their February 17, 2021 meeting, the Planning Commission recommended amending the language and asked staff to take the request to the City Council. The Planning Commission made it clear that they would not mind language that continues to encourage rotation, as long as it allows more flexibility if there is no one qualified or who wants to serve that hasn't already.

Council comments included:

**Clompus:** Committees are run by volunteers and it's sometimes hard to get people to volunteer. This ordinance change makes sense. **Grover** agreed.

There was no public comment.

*Motion (Grover/Clompus) to direct staff to prepare an ordinance amendment allowing the Chair and Vice-Chair to serve continuous terms for first reading at a future meeting. **Passed unanimously.***

6. Presentation/Discussion regarding Trails Committee Annual Report

Councilmember Davies presented slides created by the Trails Committee that included the vision statement, composition, charter, duties, priorities, and recommendations. Priorities included: 1) Axel Lindgren Memorial Trail, 2) Trinidad Head Trailhead, 3) Signage.

Council comments included:

**Clompus:** Galindo and Van Wycke are not included on the trails map. I struggle with the Council decision to reject the Connectivity projects. I have a very difficult time trying not to upset cultural observers and the history of the land, but I don't want to see people get hurt walking to the beach. **Grover** agreed, noting that Edwards Street is dangerous.

**West:** Compliment the Trails Committee.

**Ladwig:** Recommend that staff develop a plan to tap into the \$10,000 allocated by the City to improve the trailheads as identified by the Trails Committee. I like the idea of uniform signage, modeled after State and National Parks but "Trinidadified". Encourage utilizing volunteer support.

Public comment included:

**Gail Kenny – Trinidad**

Fix steps at the bottom of the Axel Lindgren trail within the next 6 months if possible.

*By consensus, the Council supported the Trails Committee recommendations.*

7. Discussion/Decision regarding Trails Committee Appointments.

City Manager Naffah explained that the Council authorized the addition of a representative from the Tsurai Ancestral Society to the Trails Committee and is waiting for the Society to nominate one of their own. Meanwhile,

the Visitor Service/Business Representative position is open, and Trinidad Coastal Land Trust Director Carol Van Der Meer has requested participation. The final vacancy for a member of the public is still undetermined. The City will continue to seek a member to fill this vacancy.

There was no public comment.

*Motion (Davies/ to appoint Carol Van Der Meer to serve as the Visitor Service/Business Representative to the Trinidad Trails Committee. **Passed unanimously.***

8. Discussion/Decision regarding draft Resolution to Establish a Water Advisory Committee.

City Manager Naffah explained that at the City Council meeting on February 9, 2021, the Council directed staff to form a water advisory committee. Council Member Davies proposed a Water Resiliency Committee be formed to address and plan for improvements to our existing water system that will make our community more resilient to drought. He suggested forming the committee to address the planning of projects to supplement our current system. The title Water Advisory Committee seems to have a wide scope that can encompass a broad range of water issues. The Council can choose a different title if felt more appropriate.

The Water Advisory Committee can consider and request additional data on alternative solutions to address the water needs of the City. Various sources of water, collection, storage, etc. can be assessed. The Council can give direction on concepts to be explored to determine their feasibility, and the Committee can advise the Council.

The composition of the Water Advisory Committee in the draft resolution is intended to not create too cumbersome of a body that would make it too difficult to meet and fit everyone's schedule on a regular basis. The draft resolution suggests that the Water Advisory Committee will consist of two members of the City Council, one member of the Planning Commission, the City Engineer, and the City Manager. The Committee can always invite attendees to the meetings depending on topics addressed. In addition, anyone can attend the meeting without being required to by being a member of the committee. Supervisor Steve Madrone's input, City Public Works, representatives and residents from Trinidad and the greater area are welcome.

Council comments included:

**Grover:** I volunteer to be on this committee.

**Clompus:** Is it necessary to have the City Engineer present at all meetings, or should we consider bringing them in on an as-needed basis?

**Naffah** explained that the intent would be to keep the meetings productive, stay on track, and have questions answered quickly.

**West:** We should consider including someone from outside the City limits.

**Ladwig:** Add Public Works Director, and a water customer.

**Davies:** Using contracted staff should be discretionary – not mandatory. I'm sure they'd be happy to attend and generate revenue for their business. Steve Madrone and Dave Hankin are both interested, and I also think we should include a member of the public. By not having a resident attend would be doing a disservice to the committee. The Planning Commission member should be a city resident. The committee might be getting big, but more voices are good. Madrone and Hankin know the science behind water.

**Grover:** Include more people who live in the watershed.

**Ladwig:** The draft should be amended to identify the chair of the committee.

Public comment included:

**Sherri Provolt** – Yurok Tribal Council

I appreciate the discussion. A 3-person committee is too small. Having more voices is valuable, including a water customer. Having experts on the committee would be very useful, but having the Public Works Director involved is key – they see how the system works every day. However, 5 members is enough. I propose (2) Council, (1) Planning Commissioner, (1) Public Works Director, (1) Water System Customer. FOCUS on City



Water. That is your charge. You could always ask that a member of the Watershed Council share a liaison, as well as the neighboring water districts, but your focus should be on the City's water system.

**Clompus:** There's a lot of wisdom in Provolt's suggestion. I agree.

**Grover:** Agree with Clompus. 5 members is a good number. I recommend a water system customer (in or outside city limits) be included.

*Motion (Grover/Clompus) to revise the draft Resolution, amending the Committee make-up to include (2) Councilmembers, (1) Planning Commissioner, (1) Director of Public Works, and (1) City water customer.*

**Passed unanimously.**

9. Discussion/Decision regarding Council Committee Assignments

As soon as practical, after each General Election, the Council should review Committee assignments. The packet included a current list of assignments.

**Ladwig** noted he was happy with his assignments.

**Clompus:** Recommended removing HWMA from the list, and requested volunteering as an alternate to the Tsurai Management Plan Team.

**Grover:** Volunteered as HCCVB alternate.

*Water Advisory Committee will be added to the assignment list. Staff will update the assignment list and website to reflect the changes.*

10. Discussion/Decision regarding Amending Short-Term Rental Minimum Nights required for 2021 due to Covid Moratorium.

**Ladwig recused himself from items 10 and 11. Excused from meeting.**

**Mayor Pro-Tem West** explained that Some STR owners have suggested a waiver or reduction in the minimum requirement of 60 days rentals per calendar year for this year only due to the moratorium. In the STR Ordinance, 17.56.190 (6.26).M, STR Standards, "All STRs will be required to meet the following standards: [including] 14. Minimum Activity. A Full-time STR shall be rented for a minimum of 60 nights per year in order to maintain an STR License. If the STR owner/manager fails to document rentals of at least 60 nights per year, the City Manager may determine that license is inactive and ineligible for renewal."

**City Manager Naffah** explained that in 2020, the City waived the minimum activity requirement due to the COVID Moratorium, and this year some STR's are asking for a similar waiver. At the February Council meeting, staff suggested reducing the minimum requirement of 60 days of STR rentals to 30 days for 2021. The impact of COVID and the Moratorium will cause STR's to have reduced activity this year, so it makes sense to reduce the minimum day requirement.

Council comments included:

**Clompus:** If we eliminated 1 quarter of the year, we should consider reducing the minimum nights 15 days, not half. I'm not sure what the logic is behind the 50% reduction.

Naffah explained that the moratorium prevented STR's from predicting when it would be lifted. This would give them an opportunity to ramp up reservations slowly into the future. **Grover agreed.**

**Davies:** I don't want to give them any reduction. This is a bizarre part of our ordinance. Other areas require a maximum number of nights, not a minimum. I could only consider Clompus's proposal, but think we shouldn't give them any flexibility.

**West:** I'm ok with 45 or 30 nights. This has been a difficult year, so I could go with 45 nights.

*There were no public comments.*

*Motion (Clompus/Grover) to reduce the minimum required rental nights from 60 to 45 nights for calendar year 2021. Passed 4-0-1. Ladwig recused.*

11. Discussion/Decision regarding Short-Term Rental Waitlist or Moratorium on Filling Available STR Licenses. City Manager Naffah explained that the City has received 29 Short-Term Rental renewals of the current 31 STR's. The STR Ordinance provides for a Waitlist and Lottery process when licenses become available.

The STR Ordinance under 17.56.190 (6.26). E. Application Requirements states:

*"6. Application Wait List & Lottery It is the City's intention to maintain no more than 19 Full-time STR Licenses and 6 Resident STR Licenses in the UR Zone and 6 Full-time STR Licenses in the SR Zone. When an STR license becomes available within one of those limits, the City will hold a lottery to allocate that STR License. The City will maintain a waiting list, for each type of STR License by zone as needed, of property owners who are interested in obtaining an STR License for their dwelling. A property owner may place his or her name on the waiting list at any time, but only once per property. The City will randomly draw a name from the waiting list for the appropriate type of license and zone. If the property meets the applicable location standards (§17.56.190.G (6.26.G)), that owner will have 45 days to submit a complete STR License application, along with any other associated license or permit applications (Use Permit, OWTS Operating Permit, etc.) that may be required. If the property owner does not obtain an STR License within 90 days, or if the property does not meet the applicable location standards, the City will draw another name from the waiting list for that zone and STR type."*

The renewal applications that the City received are in the following categories:

- (5) SR (6 in the ordinance)
- (18) UR (19 in the ordinance)
- (3) PD (no limit in the ordinance)
- (3) C (no limit in the ordinance)

This is the first time that the City has gone under the allotted number of Full-time STR licenses in the Ordinance. The Ordinance does provide a procedure, and there are currently 6 STR's that have been on the waitlist for the Full-time STR Licenses in the UR zone. The City Manager plans on following the currently established procedure of holding a lottery and feels it is prudent to do so. The lottery would be administered similar to the state lottery where numbers are drawn from a drum. There is currently one opening in the UR zone, but it is anticipated that two more will soon become available since those homes are on the market and licenses do not transfer with the sale of property. Since there are 6 on the waitlist for the UR zone, it makes sense to proceed with the lottery process. The other opening is in the SR zone, but no one is currently on that waitlist.

Council Member Davies has requested that the City Council consider a moratorium for filling available STR licenses within the City until the STR Ordinance has been thoroughly reviewed, revised, and adopted by the City. He points out that the STR Ordinance is long overdue for a review. He has concerns that the waitlist procedure is not clear in the ordinance, and that there are many more sections that are not clear. He states additionally that the City is still working on housing in the General Plan, a parking study and a few other things that will affect the STR Ordinance. Until the City sorts out the above issues as well as others such as how much residential housing is being usurped by STRs, he would like to address a STR moratorium in the City and feels it would not be responsible to continue with business as usual.

Council comments included:

**Davies:** The STR Ordinance is well overdue for a review, and there could be major changes. The complaint process is not clear, the lottery and waitlist processes are unclear, we have serious Visitor Services land use issues, and we don't have a definition of an STR. There are too many outstanding issues that need to be addressed, which is why I'm suggesting a moratorium.

**Clompus:** I have some serious issues with housing affordability in Trinidad. I would like the City to clarify and clean up several ordinances, and have a moratorium in place until the issues are cleaned up.

**Grover:** I'm leaning towards the moratorium as well, but would like to hear what West has to say. Also concerned with income loss.

**West:** Are we going to be legally ok suddenly voting on a moratorium tonight?

Naffah explained that he will have to confirm with the City Attorney, and also concerned with reducing the City's revenue sources. The Harbor, Cell Towers, and various other sources of revenue will eventually be gone. I'm in favor of remaining within the STR cap as intended, and also concerned with applicants that have been waiting patiently since the ordinance was originally adopted. There may be a legal issue here.

**Davies:** 15% of housing is a large number. Other municipalities are trying to reign this in or severely limiting STR's. It's a stretch to think that the City is legally obligated to let someone think they can have an STR at any time. If we have to throw \$1,000 at the Attorney to confirm this, I guess we have to do it. The City did good by not allowing cannabis dispensaries. I'm tired of having to hear about the revenue needs of the City. If we have to cut positions or expenses, I'm prepared to look at that.

**Clompus:** There should be no increases until affordable housing is addressed. The income loss will be minimal.

Public comment included:

**Sherri Provolt** – Yurok Tribal Councilmember

I'm proud to own rental property in town that houses long-term tenants. I purposely rented to locals.

Motion (Davies/Clompus) to apply a moratorium on filling available STR Licenses until the STR Ordinance and General Plan have been thoroughly reviewed, revised, and adopted by the City and Coastal Commission.

***Passed 4-0. Ladwig recused.***

#### **FUTURE AGENDA ITEMS**

- 2009 Traffic Study recommendations.
- Sidewalk on North Side of Edwards.

**ADJOURNMENT: 9:45pm.**

**Submitted by:**

\_\_\_\_\_ signed copy on file \_\_\_\_\_

**Gabriel Adams**  
Trinidad City Clerk

**Approved by:**

\_\_\_\_\_ signed copy on file \_\_\_\_\_

**Steve Ladwig**  
Mayor